

AGENDA
CITY OF ATLANTA BOARD OF ZONING ADJUSTMENT
Friday, July 22, 2005 AT 1:00 P.M.
ATLANTA CITY HALL COUNCIL CHAMBER, SECOND FLOOR

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NEW CASES

- V-05-156** Application of **Gumercindo Aguilar** for a variance from the zoning regulations to 1) reduce the half-depth front yard setback from the required 17 ¹/₂ feet to 10 feet and to 2) increase the lot coverage from the required 50% to 60% to allow for construction of a single family house. The property is located at **1195 DANNER STREET, S.E.**, fronts 50 on the east side of Danner Street, and begins on the northwest corner of Danner Street and Vickers Street. Zoned R-4 (Single- Family Residential) District. Land Lot 10 of the 14th District, Fulton County, Georgia.
Owner: Gumercindo Aguilar
Council District 1, NPU-W
- V-05-162** Application of **Richard L. Taylor** for a special exception from the zoning regulations to reduce on-site parking from the required 182 spaces to 132 spaces for conversion of an existing industrial building into office and restaurant space. The property is located at **154 KROG STREET N.E.**, fronts 45.3 feet on the northern side of Krog Street, and begins 335.5 feet north of the northwest corner of Krog Street and Lake Avenue. Zoned I-2 (Heavy Industrial) District. Land Lot 19 of the 14th District, DeKalb County, Georgia.
Owner: Inman Alley, LLC
Council District 2, NPU-N
- V-05-163** Application of **John P. Feldman** for a variance from the zoning regulations to allow for a parking pad in the front yard where it would otherwise be prohibited. The property is located at **964 LINDBERGH DRIVE N.E.**, fronts 65 feet on the north side of Lindbergh Drive, and begins 265 feet east of the northeast corner of Lindbergh Drive and Lindridge Drive. Zoned R-4 (Single- Family Residential) District. Land Lot 6 of the 17th District, Fulton County, Georgia.
Owner: John P. Feldman
Council District 6, NPU-F
- V-05-164** Application of **Michael Snyder** for variances from the zoning regulations to 1) reduce the front yard setback from the required 50 feet to 32 feet, 2) reduce the north side yard setbacks from the required 15 feet to 9 feet, 10 inches and 3) reduce the rear yard setback from 25 feet to 8 feet, 6 inches. The applicant also seeks a special exception from the zoning regulations to reduce on-site parking from the required 35 spaces to 0 spaces, for construction of a new fraternity house. The property is located at **750 FOWLER STREET N.W.**, fronts 785 feet on the east side on Fowler Street, and begins 144.75 feet south of the southwest corner of Fowler Street and 4th Street. Zoned O-I (Office- Industrial) District. Land Lot 80 of the 14th District, Fulton County, Georgia.
Owner: Sigma No House Association
Council District 7, NPU-E

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- V-05-165** Application of **Russell Grubenhoff** for a variance from the zoning regulations to reduce the west side yard setback from the required 7 feet to 3 feet for construction of a single- family house. The property is located at **886 Cumberland Road N.E.**, fronts 50 feet on the north side of Cumberland Road, and begins 184 feet east of the northeastern corner of Cumberland Road and Morningside Drive. Zoned R-4 (Single- Family Residential) District. Land Lot 3 of the 17th District, Fulton County, Georgia.
Owner: Russell Grubenhoff
Council District 6, NPU- F
- V-05-166** Application of **Andy Burton** for a variance from the zoning regulations to reduce the side yard setback from the required 10 feet to 2 feet to replace an existing deck with a screened back porch. The property is located at **2976 NORTHSIDE DRIVE N.W.**, fronts 41.4 feet on the east side of Northside Drive, and begins 354.4 feet north of the northwestern corner of Northside Drive and Edinboro Road. Zoned R-3 (Single- Family Residential) District. Land Lot 156 of the 17th District, Fulton County, Georgia.
Owner: Shaun Morber
Council District 8, NPU-C
- V-05-167** Application of **Michael R. Kerley** for a variance from the zoning regulations to 1) reduce the west side yard setback from the required 7 feet to 1 foot for a second story addition and 2) to reduce the east side yard setback from the required 7 feet to 1 foot and 3) reduce the rear yard setback from the required 15 feet 11 feet for a detached carport addition to a single- family house. The property is located at **236 LAKEVIEW AVENUE N.E.**, fronts 50 feet on the north side of Lakeview Avenue, and begins 105.8 feet east of the Northeastern corner of Lakeview Avenue and Brookwood Drive. Zoned R-4 (Single- Family Residential) District. Land Lot 101 of the 17th District, Fulton County, Georgia.
Owner: Michael R. Kerley
Council District 1, NPU-B
- V-05-168** Appeal of **James E. Schneider** of a decision of an Administrative Officer (i.e. a staff person) of the Bureau of Buildings to issue a building permit for a subdivision that Mr. Schneider claims was erroneously approved because it would contain lots with two different zoning classifications, among other issues. Property is located at **2186 COLLINS DRIVE N.W.**, fronts 120 feet on the east side of Collins Drive, and begins 470 feet southeast of the southern corner of Collins Drive and Bolton Road. Zoned R-4/ R-5 (Single-Family Residential) District. Land Lot 244 of the 17th District, Fulton County, Georgia.
Owner: Marietta Road III, LLC.
Council District 9, NPU-D

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- V-05-169** Application of **Pamela & Michael Sheldon** for variances from the zoning regulations to 1) reduce the side yard setbacks from the required 7 feet to 2 feet and 2) reduce the rear yard setback from the required 15 feet to 4 feet, 6 inches to expand a second floor dormer on an existing detached garage. The property is located at **488 PINETREE DRIVE N.E.**, fronts 90 feet on the north side of Pinetree Drive, and begins 75 feet west of the northwest corner of Pinetree Drive and Atwood Road. Zoned R-4 (Single- Family Residential) District. Land Lot 60 of the 17th District, Fulton County, Georgia.
Owner: Pamela & Michael Sheldon
Council District 7, NPU-B
- V-05-170** Application of **Kendall Zeliff** for a variance from the zoning regulations to reduce northeast the side yard setback from the required 15 feet to 9 feet to enclose an existing deck for a screened back porch. The property is located at **189 NACOOCHEE DRIVE N.W.**, fronts 130 feet on the northwestern side of Nacoochee Drive, and begins 500 feet south of the southeastern corner of Nacooche Drive and Peachtree Battle Avenue. Zoned R-2A (Single-Family Residential) District. Land Lot 111 of the 17th District, Fulton County, Georgia.
Owner: Kendall Zeliff
Council District 8, NPU-C
- V-05-171** Application of **Roland Sayre** for a variance from the zoning regulations to reduce the west side yard setback from the required 10 feet to 5 feet for a second story addition to a single-family house. The property is located at **898 DEAN DRIVE N.W.**, fronts 80 feet on the south side of Dean Drive, and begins 100 feet west of the southwest corner of Dean Drive and Howell Mill Road. Zoned R-3A (Single- Family Residential) District. Land Lot 185 of the 17th District, Fulton County, Georgia.
Owner: Randy and Lisa Alexander
Council District 8, NPU-C
- V-05-172** Application of **Woodall Family Enterprises** for special exception from the zoning regulations to reduce the on-site parking from the required 85 spaces to 75 spaces for construction of a new office building. The property is located at **311 BUCKHEAD AVENUE N.E.**, fronts 55 feet on the south side of Buckhead Avenue, and begins 70.2 feet east of the southeastern corner of Buckhead Avenue and North Fulton Drive. Zoned C-1 (Community Business) District. Land Lot 61 of the 17th District, Fulton County, Georgia.
Owner: Woodall Family Enterprises
Council District 7, NPU-B

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- V-05-173** Application of **Levon M. Tobin** for a variance from the zoning regulations to 1) reduce the west side yard setback from the required 7 feet to 2 feet 2) reduce the rear yard setback from the required 15 feet to 4 feet, 3) increase the maximum allowed floor area of the accessory garage structure from 30% of that of the main structure, and 4) cover more than 25% of the area of the rear yard all to allow a porch addition to an existing single- family house and a two story detached garage. The property is located at **381 PEACHTREE AVENUE N.E.**, fronts 54 feet on the south side of Peachtree Avenue, and begins 55 feet west of the southwestern corner of Peachtree Avenue and Lookout Place. Zoned R-4 (Single- Family Residential) District. Land Lot 60 of the 17th District, Fulton County, Georgia.
Owner: Lisa B.Tobin
Council District 7, NPU-B
- V-05-174** Application of **Sean Key** for a special exception from the zoning regulations to install a swimming pool in the rear yard adjacent to a public street. The property is located at **464 MONTGOMERY FERRY ROAD N.E.**, fronts 105 feet on the north side of Montgomery Ferry Road, and begins 90 feet east of the north eastern corner of Montgomery Ferry Road and Monroe Drive. Zoned R-4 (Single- Family Residential) District. Land Lot 56 of the 17th District, Fulton County, Georgia.
Owner: Jess Gardner
Council District 6, NPU-F
- V-05-175** Application of **Land Logistics, LLC** for variances from the zoning regulations to 1) reduce the north side yard setback from the required 5 feet to 3 feet and 2) reduce the south side yard setback from the required 5 feet to 3 feet for construction of a single- family house. The property is located at **943 SMITH STREET S.W.**, fronts 25 feet on the west side of Smith Street, and begins 25 feet south of the southwestern corner of Smith Street and Mary Street. Zoned R-4B (Single- Family Residential) District. Land Lot 87 of the 14th District, Fulton County, Georgia.
Owner: Ezekiel Construction, Inc.
Council District 1, NPU-V
- V-05-176** Application of **Jimmy Livaditis** for 1) a variance from the zoning regulations to reduce the rear transitional yard from the required 20 feet to 9 feet to allow for an addition of a freezer and cooler to an existing restaurant, and 2) a special exception from the zoning regulations to reduce on-site parking from the required 13 spaces to 10 spaces. The property is located at **377 MORELAND AVENUE N.E.**, fronts 98 feet on the north side of Moreland Avenue, and begins on the northeast corner of Moreland Avenue and McLendon Avenue. Zoned NC-1 (Little Five Points Neighborhood Commercial) District. Land Lot 209 of the 15th District, DeKalb County, Georgia.
Owners: Annamae Livaditis Testament Trust and Manolis Vastakis Co- Tenants

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- V-05-177** **Council District 5, NPU-N**
Application of **Caver Redevelopment, LLC** for a variance to 1) reduce the front yard setbacks from the required 40 feet to 15 feet and 2) reduce the half- depth front yard setback from the required 20 feet to 15 feet for construction of a multi-family residential development. The property is located at **201 MOURY AVENUE (A.K.A. 178 MOURY AVENUE) S.W.**, fronts 106 feet on the southwest side of Moury Avenue, and begins on the southern corner of Moury Avenue and Thirkeld Avenue. Zoned RG-3 (General Residential) District. Land Lot 72 of the 14th District, Fulton County, Georgia.
Owner: Housing Authority of the City of Atlanta
Council District 1, NPU-Y
- V-05-178** Application of **George A. Smith** for a variance from the zoning regulations to reduce the west side yard setback from the required 7 feet to 4 feet for a two-story room addition to the back of a single- family house. The property is located at **2112 CASCADE ROAD S.W.**, fronts 51 feet on the south side of Cascade Road, and begins 102 feet east of the southeast corner of Cascade Road and Lorraine Boulevard. Zoned R-4 (Single- Family Residential) District. Land Lot 184 of the 14th District, Fulton County, Georgia.
Owner: Joyce R. Engram & Eleanor Goss
Council District 11, NPU-R
- V-05-179** Application of **Roy Irwin** for a variance from the zoning regulations to reduce the south side yard setback from the required 15 feet to 10 feet for construction of a detached garage addition on a single-family residential lot and a turnaround/ parking pad in the side yard setback. The property is located at **3452 WOODHAVEN ROAD N.W.**, fronts 125 feet on the west side of Woodhaven Road, and begins 1,798.1 feet north of the northwestern corner of Woodhaven Road and West Paces Ferry Road. Zoned R-2 (Single- Family Residential) District. Land Lot 141 of the 17th District, Fulton County, Georgia.
Owner: Herb Kosmahl
Council District 8, NPU-A

DEFERRED CASES

- V-04-344** Application of **Gamal Tawfik** for a special exception from the zoning regulations to allow for a 6-foot high fence in the front yard setback, where fences are restricted to no more than 4 feet high. Property is located at **1065 W. PACES FERRY ROAD, N.W.**, and fronts 260 feet on the north side of West Paces Ferry Road, beginning 143 feet west of the northwest corner of W. Paces Ferry Road and Ranier Drive. Zoned R-2 (Single-Family Residential) District. Land Lot 181 of the 17th District, Fulton County, Georgia.
Owner: Gamal Tawfik
Council District 8, NPU-A

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- V-04-402** Application of **Earnest Bennet** for variances from the zoning regulations to 1) reduce the front yard setback from the required 35 feet to 18 feet and 2) reduce the west side yard setback from the required 7 feet to 5 feet, for a second story addition to an existing single-family house. Property is located at **1114 OSBORNE STREET, S.W.**, and fronts 50.19 feet on the south side of Osborne Street, beginning 849 feet east of the southeast corner of Osborne Street and Murphy Avenue (f.k.a. McPherson Avenue). Zoned R-4 (Single-Family Residential) District. Land Lot 122 of the 14th District, Fulton County, Georgia.
Owner: Earnest Bennett
Council District 12, NPU-X
- V-05-87** Appeal of **Kim Wilson and Padraig McLoughlin** of a decision of an administrative officer (i.e., a staff person) of the Bureau of Buildings to issue a building permit for construction of a two story addition to a dwelling unit that the Bureau of Buildings determined is a zero lot line, single-family house with no side yard setback along the zero lot line. Property is located at **888 ARGONNE AVENUE, N.E.**, fronts 34.05 feet on the west side of Argonne Avenue, and begins 164.74 feet south of the southwest corner of Argonne Avenue and Eighth Street. Zoned R-5 (Two-Family Residential) District. Land Lot 49 of the 14th District, Fulton County, Georgia.
Owner: E. Bruce Garner
Council District 6, NPU-E
- V-05-92** Application of **John M. Ford** for 1) a special exception from the zoning regulations to expand a legally nonconforming duplex by adding a deck on the back of the building, and 2) a variance from the zoning regulations to increase the front yard coverage from the maximum allowed of 33 % to 64% by paving a portion of the front yard. Property is located at **1731 RIDGEWAY AVENUE, N.W.**, fronts 50 feet on the east side of Ridgeway Avenue, and begins 398.9 feet east and north of the northwest corner of Ridgeway Avenue and Howell Mill Road. Zoned R-4 (Single-Family Residential) District. Land Lot 152 of the 17th District, Fulton County, Georgia.
Owner: Ford & Associates, Inc.
Council District 8, NPU-D
- V-05-93** Application of **Dan Campbell** for a variance from the zoning regulations to reduce the west side yard setback from the required 7 feet to 1 foot for construction of a second story room addition to a single-family house. Property is located at **44 INMAN CIRCLE, N.E.**, fronts 55 feet on the north side of Inman Circle, and begins 101.5 feet southwest of the southwest corner of Inman Circle and 17th Street. Zoned R-4 (Single-Family Residential) District. Land Lot 105 of the 17th District, Fulton County, Georgia.
Owner: James Getzinger
Council District 7, NPU-E

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- V-05-102** Application of **Lisa Perlin** for a variance from the zoning regulations to allow a parking pad in the front yard setback. Property is located at **368 VALLEY BROOK DRIVE, N.E.**, fronts 70 feet on the north side of Valley Brook Drive, and begins 528.2 feet south and east of the southeast corner of Valley Brook Drive and Meadowbrook Drive. Zoned R-4 (Single-Family Residential) District. Land Lot 65 of the 17th District, Fulton County, Georgia.
Owners: Lisa Perlin & Jay Weiner
Council District 7, NPU-B
- V-05-105** Application of **Halpern Enterprises, Inc.** for a special exception from the zoning regulations to reduce the total on-site parking from the required 727 spaces to 288 spaces (existing non-conforming on-site parking), for conversion of 10,050 square feet of space in a shopping center from retail to restaurant use. (Note: Existing development has nonconforming parking characteristic. Reduction for proposed restaurants alone would be from 100 required spaces to 50 spaces.) Property is located at **500 – 560 AMSTERDAM AVENUE, N.E.**, fronts 190 feet on the north side of Amsterdam Avenue and 185 feet on the south side of Amsterdam Avenue and begins at the northeast corner of Amsterdam Avenue and Evelyn Street. Zoned C-1 (Community Business) District and R-4 (Single-Family Residential) District. Land Lots 54 and 55 of the 17th District, Fulton County, Georgia.
Owner: Halpern Enterprises, Inc.
Council District 6, NPU-F
- V-05-106** Application of **Marjy & John Stagmeier** for variances from the zoning regulations to 1) reduce the south side yard setback from the required 7 feet to 4 feet, 8 inches and 2) reduce the north side yard setback from the required 7 feet to 3.2 feet, for a second story addition to a single-family house. Property is located at **77 EAST PARK LANE, N.E.**, fronts 46 feet on the east side of East Park Lane, and begins 350 feet south of the southeast corner of East Park Lane and Avery Drive. Zoned R-4 (Single-Family Residential) District. Land Lot 55 of the 17th District, Fulton County, Georgia.
Owners: Marjy & John Stagmeier
Council District 6, NPU-F
- V-05-120** Application of **Serge Watson** for a variance from the zoning regulations to reduce the east side yard setback from the required 7 feet to 2.5 feet, for a one-story room addition to a single-family house. Property is located at **1232 Pasadena Avenue, N.E.**, fronts 69.83 feet on the north side of Pasadena Avenue, and begins 390.7 feet southeast of the southeast corner of Pasadena Avenue and Johnson Road. Zoned R-4 (Single-Family Residential) District. Land Lot 56 of the 18th District. DeKalb County, Georgia.
Owner: Donella Bateman

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